

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S) : Colin G. Caro et al.  
TITLE : HELICAL GRAFT  
APPLICATION NO. : 10/549,498  
FILED : August 14, 2006  
EXAMINING ATTORNEY : Megan Yarnall Wolf  
LAST OFFICE ACTION : December 20, 2010  
ART UNIT : 3738  
CONFIRMATION NO. : 7739  
ATTORNEY DOCKET NO. : DEHN 2 00008US01

Cleveland, OH 44114  
July 8, 2011

**SUPPLEMENTAL RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Further to the Amendment which was filed on May 20, 2011, applicants wish to make the following points.

The Cymbalisty 6,896,007 patent was incorrectly characterized as having a straight rigid pipe which extends linearly. Rather, Cymbalisty discloses a helical pipe which extends linearly. In other words, it follows a helical path about a straight longitudinal axis as is evident from, e.g., Figures 1, 3 and 4 thereof. Put another way, the helical path of Cymbalisty is about a straight axis. In contrast, the claimed invention pertains to a graft which extends around a curved axis. There is no teaching in Cymbalisty that the helical pipe geometry could be used in a pipe with a curved "envelope." Moreover, Cymbalisty's slurry pipes, since they are heavy duty, would most likely be made from steel or concrete and would not be capable of flexing to a curved condition, as called for by, e.g., pending claim 1.